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DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548

FILE: B-186820 DATE: February 23, 1978  
MATTER OF: Thomas P. Woll - Travel Expenses

- DIGEST:
1. Employee was authorized a rental car under FTR para. 1-3.2 in connection with his attendance at a conference sponsored by various non-Government societies. Since record shows car was used on conference business and employee stayed at hotel where conference was held, reimbursement may not be made except to extent proper agency official determines vehicle was used for official Government business.
  2. Agency disallowed employee's claim for cost of lunch in accordance with Matter of Rennie L. Pierce, B-185826, May 26, 1976, as lunch was purchased after employee took airplane flight during which a meal was served. Employee reclaims cost because he did not eat meal on plane as he had eaten a late breakfast and was trying to adjust to new time frame which follows 5-hour east-to-west cross-country flight. Cost of lunch may not be reimbursed since employee has not provided sufficient justification for not eating meal provided by airline.
  3. Long-distance telephone calls made from employee's hotel room may be reimbursed only if agency official designated under 31 U.S.C. § 680a determines that said calls were in interest of the Government. See cited decisions.
  4. Employee, who attended conference, may be reimbursed \$27 for cost of two luncheons although they were not listed in Conference brochure since they are official luncheons which were not listed because they were limited to 30 persons each. However, he is not entitled to \$86 for other Conference functions listed as optional social events since social events are not reimbursable.

By a letter dated March 31, 1977, Ms. Carolyn M. Duffy, an authorized certifying officer with the Federal Railroad Administration, Department of Transportation, requested an advance decision regarding the reclaim voucher of Mr. Thomas P. Woll for transportation and other expenses incident to attending the Fourth Intersociety Conference on Transportation in Los Angeles, California, sponsored by the American Society of Mechanical Engineers and similar societies. Since the certifying officer has doubts concerning the propriety of certifying the voucher, it was proper to submit it for a decision. 55 Comp. Gen. 297 (1975).

The record shows that Mr. Woll was Conference General Chairman. In this capacity he was issued travel orders for travel between Washington, D.C., and Los Angeles, California, which authorized reimbursement of expenses of conference and official functions and rental of an automobile. The expenses questioned by the certifying officer and for which an advance decision is requested are as follows:

Rental car and parking	\$325.82
Lunch after meal on airplane	4.00
Long distance telephone calls	41.65
Luncheons for guest speakers	27.00
Optional conference social functions	86.00
Total	<u>\$484.47</u>

The first item is for rental of an automobile and related parking fees in the amount of \$325.82. Rental of an automobile is governed by paragraph 1-3.2 of the Federal Travel Regulations (FPMR 101-7, May 1973) which states in part that such rental "will be allowed if authorized or approved as advantageous to the Government whenever the employee is engaged in official business." The certifying officer questions whether the rental car was used for official business in light of nature of the employee's travel.

The record shows that the automobile was used for official conference business, and many trips between the airport and the hotel, the hotel and news media, and the hotel and Federal buildings. Since the record indicates the automobile was primarily used for conference business and Mr. Woll stayed at the hotel where the conference was held, the item for car rental and parking should be disallowed except to the extent that Mr. Woll can demonstrate that the

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automobile was used for official Government business and obtain approval of such use by the appropriate agency official.

The next item in the amount of \$4 is for the cost of a lunch purchased subsequent to an airplane flight during which a meal was served. The certifying officer indicates this amount was disallowed in accordance with our decision Matter of Bennie L. Pierce, B-185826, May 28, 1976, in which we stated:

"When meals are included in the price of an airline ticket and in fact are provided during the course of a flight, it is not proper to allow reimbursement for duplicate meals purchased after the traveler leaves the plane, in the absence of justifiable reasons why the traveler did not partake of the meals served on the flight or, if he did so, why extra meals were required."

The employee stated that he did not eat the meal served on the flight because he had eaten a late breakfast. He pointed out that the flight was a cross-country flight lasting 5 hours and that he was trying to adjust to the new time frame. Our decision in Pierce, supra, does not require disallowance of the cost of a meal in place of one available on an airplane flight in all cases, but only in those cases where no justifiable reasons are presented. We do not believe that Mr. Woll has presented sufficient justification for not eating the lunch provided by the airline.

Accordingly, the \$4 claimed for lunch subsequent to his arrival in California may not be reimbursed.

The next item is for long distance telephone calls made from the employee's hotel room in the amount of \$41.65. We stated in our decision A-13067, October 20, 1976, that "31 U.S.C. § 680a requires that long distance telephone calls must be for the transaction of public business and certified as being necessary in the interest of the Government, if payment for said calls is to be made from appropriated funds." In 44 Comp. Gen. 595 (1965) we stated that 31 U.S.C. § 680a imposes on the administrative officials concerned the responsibility to determine whether a long distance call was on public business or otherwise in the interest of the Government."

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We also stated in that decision that this Office would not substitute its judgment of that for an official designated under 31 U.S.C. § 680a. This is because the employee's agency is in a better position to examine the facts involved in each case and determine whether a call is in the interest of the Government. The record shows that the employee has provided a list of calls made indicating the date, amount, and party involved in each call. Accordingly, should a Federal Railroad Administration official designated under 31 U.S.C. § 680a examine the calls and determine that part or all of the calls were in the interest of the Government, we would have no objection to payment.

With regard to the item amounting to \$27 for luncheons for guest speakers, the certifying officer stated that these were originally disallowed because they were not listed in the Conference brochure. The employee stated that the \$27 consisted of two official luncheons at \$13.50 each held in honor of guest speakers at the Conference. They were not listed in the brochure as the luncheons were limited to 30 persons each. Since it appears these luncheons were official functions although not listed in the conference brochure, they may be reimbursed if otherwise proper.

The final item is for \$86 in conference functions. The certifying officer stated that these items were disallowed as they were listed in the conference brochure as optional social events. The employee stated that as Conference General Chairman he was required to attend all social functions and that official business was conducted at each. We were unable to determine from the record what activities are included in the \$86 total as no receipts or itemizations were furnished. If the amount is for social events, however, it is not for reimbursement.

Accordingly, the voucher is returned herewith and may be certified in accordance with the above.

Deputy

*R. F. K. 11/14*  
Comptroller General  
of the United States